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Official Form 1 (4/07)	D00	Juneni	Pay	<del>e</del> 1 01	40			
	d States Bankı Jorthern District		ourt				Voluntary	Petition
Name of Debtor (if individual, enter Last, Fi Vivoda, John J.	rst, Middle):		Name of	f Joint De	btor (Spouse)	) (Last, First, M	iddle):	
All Other Names used by the Debtor in the la (include married, maiden, and trade names):	ist 8 years					foint Debtor in t trade names):	he last 8 years	
Last four digits of Soc. Sec./Complete EIN o xxx-xx-6560	r other Tax ID No. (if mor	re than one, state all	Last fou	r digits of	f Soc. Sec./Co	omplete EIN or	other Tax ID No. (if	more than one, state al
Street Address of Debtor (No. and Street, Cit 226 Regent Street Glen Ellyn, IL	y, and State):	ZIP Code	Street A	ddress of	Joint Debtor	(No. and Street	t, City, and State):	ZIP Code
		60137						
County of Residence or of the Principal Plac <b>Dupage</b>	e of Business:		County	of Reside	nce or of the	Principal Place	of Business:	
Mailing Address of Debtor (if different from	street address):		Mailing	Address	of Joint Debt	or (if different f	rom street address):	
	_	ZIP Code						ZIP Code
Location of Principal Assets of Business Del (if different from street address above):	otor							1
Type of Debtor (Form of Organization) (Check one box)  ■ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.  □ Corporation (includes LLC and LLP) □ Partnership □ Other (If debtor is not one of the above entitic check this box and state type of entity below.)	(Check ☐ Health Care Bus ☐ Single Asset Re in 11 U.S.C. § 1 ☐ Railroad ☐ Stockbroker ☐ Commodity Bro ☐ Clearing Bank Other ☐ Tax-Exer	al Estate as de: 101 (51B)  oker  mpt Entity , if applicable) exempt organiz of the United St	fined	defined "incurr	the Fer 7 er 9 er 11 er 12 er 13 er primarily co in 11 U.S.C. § ed by an indivi	Petition is Filed  Chap of a I  Chap of a I  Nature of (Check or onsumer debts,	Debts busin	ecognition eding ecognition
Filing Fee (Check  Full Filing Fee attached	one box)			Debtor is	a small busin		btors efined in 11 U.S.C. § as defined in 11 U.S.	
☐ Filing Fee to be paid in installments (app attach signed application for the court's c is unable to pay fee except in installment☐ Filing Fee waiver requested (applicable t attach signed application for the court's c	onsideration certifying the S. Rule 1006(b). See Office chapter 7 individuals o	nat the debtor cial Form 3A.	Check if  I t Check a	Eebtor's a o insiders Il applica A plan is l Acceptance	aggregate non or affiliates) ble boxes: being filed wi	accontingent lique are less than \$2 ith this petition.	idated debts (exclud 2,190,000.	ing debts owed
Statistical/Administrative Information  Debtor estimates that funds will be availated Debtor estimates that, after any exempt p				naid	,	THIS SP	ACE IS FOR COURT	USE ONLY
there will be no funds available for distri			скрепаса	para,				
Estimated Number of Creditors  1- 50- 100- 200- 49 99 199 999	1000- 5001- 5,000 10,000			100,001- 100,000	OVER 100,000			
Estimated Assets	<del>_</del>							
\$0 to \$10,001 to \$100,000	\$100,001 to \$1 million	\$1,000, \$100 m			ore than 00 million			
Estimated Liabilities  \$\Begin{array}{c} \Boxed{\text{S}} & \te	□ \$100,001 to	<b>41.000</b>	001 40	□ ма	are the			
\$0 to \$50,001 to \$50,000	\$1 million	\$1,000,0 \$100 m			ore than 00 million			

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Official Form 1 (4/07) Page 2 of 48 FORM B1, Page 2

Voluntary Petition Name of Debtor(s):
Vivoda, John J.

Voluntar	y Petition	Name of Debtor(s):  Vivoda, John J.				
(This page mu	ast be completed and filed in every case)	Vivoda, ooiiii oi				
	All Prior Bankruptcy Cases Filed Within Las	t 8 Years (If more than two, attach ac	lditional sheet)			
Location Where Filed:	- None -	Case Number:	Date Filed:			
Location Where Filed:		Case Number:	Date Filed:			
Pe	nding Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If more tha	n one, attach additional sheet)			
Name of Debt - None -	or:	Case Number:	Date Filed:			
District:		Relationship:	Judge:			
	Exhibit A		<b>chibit B</b> I whose debts are primarily consumer debts.)			
forms 10K a pursuant to S and is reque	pleted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 sting relief under chapter 11.)  A is attached and made a part of this petition.	I, the attorney for the petitioner name have informed the petitioner that [he 12, or 13 of title 11, United States Co	d in the foregoing petition, declare that I or she] may proceed under chapter 7, 11, de, and have explained the relief available tify that I delivered to the debtor the notice			
		 nibit C				
<ul><li>No.</li><li>(To be comp</li><li>Exhibit</li><li>If this is a join</li></ul>	leted by every individual debtor. If a joint petition is filed, ea D completed and signed by the debtor is attached and made	a part of this petition.	a separate Exhibit D.)			
	Information Regardin (Check any ag	_				
•	Debtor has been domiciled or has had a residence, princip days immediately preceding the date of this petition or for	al place of business, or principal asse	ts in this District for 180 n any other District.			
	There is a bankruptcy case concerning debtor's affiliate, go	eneral partner, or partnership pending	in this District.			
	Debtor is a debtor in a foreign proceeding and has its princ this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or the sought in this District.	s in the United States but is a defenda	nt in an action or			
	Statement by a Debtor Who Resides (Check all app		У			
	Landlord has a judgment against the debtor for possession	of debtor's residence. (If box checked	complete the following.)			
	(Name of landlord that obtained judgment)					
	(Address of landlord)					
	Debtor claims that under applicable nonbankruptcy law, the permitted to cure the entire monetary default that gave rise possession was entered, and					
	Debtor has included in this petition the deposit with the coafter the filing of the petition.	ourt of any rent that would become du	e during the 30-day period			

Official	<b>Form</b>	1 (	<u> (4/07</u>	)

**Voluntary Petition** 

Name of Debtor(s):

FORM B1, Page 3

## (This page must be completed and filed in every case)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

Signature(s) of Debtor(s) (Individual/Joint)

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

### X /s/ John J. Vivoda

Signature of Debtor John J. Vivoda

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

July 19, 2007

Date

### Signature of Attorney

### X /s/ Bradley S. Covey

Signature of Attorney for Debtor(s)

#### Bradley S. Covey 6208786

Printed Name of Attorney for Debtor(s)

#### Springer, Brown, Covey, Gaertner & Davis, L.L.C.

Firm Name

400 S. County Farm Road Suite 330 Wheaton, IL 60187

Address

### 630-510-0000 Fax: 630-510-0004

Telephone Number

July 19, 2007

Date

### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Vivoda, John J.

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•		uu	LUD

### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

Signature of Foreign Representative

Printed Name of Foreign Representative

### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

Address

Date

Signature of Bankruptcy Petition Preparer or officer, principal. responsible person, or partner whose Social Security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

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Official Form 1, Exhibit D (10/06)

## **United States Bankruptcy Court Northern District of Illinois**

In re	John J. Vivoda		Case No.	
		Debtor(s)	Chapter	7

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency*.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.][Summarize exigent circumstances here.] \_\_\_\_

If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.

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## Official Form 1, Exh. D (10/06) - Cont.

☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable
statement.] [Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency so as to be incapable of realizing and making rational decisions with respect to
financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or
through the Internet.);
☐ Active military duty in a military combat zone.
□ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling
requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor:	/s/ John J. Vivoda	
_	John J. Vivoda	

Date: July 19, 2007

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Form 6-Summary (10/06)

# **United States Bankruptcy Court Northern District of Illinois**

In re	John J. Vivoda		Case No.		
_		Debtor			
			Chapter	7	

## SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	17,518,000.00		
B - Personal Property	Yes	4	117,300.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	2		18,186,450.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	6		370,000.00	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	3			
I - Current Income of Individual Debtor(s)	Yes	1			4,051.67
J - Current Expenditures of Individual Debtor(s)	Yes	1			5,810.00
Total Number of Sheets of ALL Schedu	ules	21			
	T	otal Assets	17,635,300.00		
			Total Liabilities	18,556,450.00	

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Official Form 6 - Statistical Summary (10/06)

## **United States Bankruptcy Court Northern District of Illinois**

John J. Vivoda		Case No.	
	Debtor	, Chapter	7
STATISTICAL SUMMARY OF CI	ERTAIN LIABILITI	ES AND RELATED	DATA (28 U.S.C. §
If you are an individual debtor whose debts are prima a case under chapter 7, 11 or 13, you must report all	arily consumer debts, as defining information requested below	ned in § 101(8) of the Bankrup.	otcy Code (11 U.S.C.§ 101(
■ Check this box if you are an individual debtor report any information here.	whose debts are NOT prima	rily consumer debts. You are a	not required to
This information is for statistical purposes only un			
Summarize the following types of liabilities, as rep	oorted in the Schedules, and	l total them.	
Type of Liability	Amo	ount	
Domestic Support Obligations (from Schedule E)			
Taxes and Certain Other Debts Owed to Governmental U (from Schedule E) (whether disputed or undisputed)	nits		
Claims for Death or Personal Injury While Debtor Was Ir (from Schedule E)	toxicated		
Student Loan Obligations (from Schedule F)			
Domestic Support, Separation Agreement, and Divorce D Obligations Not Reported on Schedule E	естее		
Obligations to Pension or Profit-Sharing, and Other Simil (from Schedule F)	ar Obligations		
	TOTAL		
State the following:			
Average Income (from Schedule I, Line 16)			
Average Expenses (from Schedule J, Line 18)			
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)			
State the following:			
Total from Schedule D, "UNSECURED PORTION, IF column	ANY"		
2. Total from Schedule E, "AMOUNT ENTITLED TO PI column	RIORITY"		
3. Total from Schedule E, "AMOUNT NOT ENTITLED" PRIORITY, IF ANY" column	го		
4. Total from Schedule F			
5. Total of non-priority unsecured debt (sum of 1, 3, and	4)		

101(8)), filing

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Form B6A (10/05)

In re	John J. Vivoda	Case No	
-			
		Debtor	

### SCHEDULE A. REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
Residence: 226 Regent St., Glen Ellyn, IL	joint tenancy	-	550,000.00	428,450.00
490 Pennsylvania, Glen Ellyn		-	968,000.00	654,000.00
460-462 Pennsylvania, Glen Ellyn, IL (8 condos (6 unsold) and 24 townhouses (15 unsold))		-	16,000,000.00	17,100,000.00

Sub-Total > **17,518,000.00** (Total of this page)

Total > **17,518,000.00** 

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Form B6B (10/05)

In re	John J. Vivoda	Case No	
_		Debtor	

## SCHEDULE B. PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." In providing the information requested in this schedule, do not include the name or address of a minor child. Simply state "a minor child."

Type of Property		roperty O Description and Location of Property E			Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	
1.	Cash on hand	X					
2.	Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Checking w/Community Bank Glenn Ellyn		-	300.00	
3.	Security deposits with public utilities, telephone companies, landlords, and others.	X					
4.	Household goods and furnishings, including audio, video, and computer equipment.		1/2 interest in misc. household goods and furnishings		-	5,000.00	
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X					
6.	Wearing apparel.		Misc. wearing apparel		-	100.00	
7.	Furs and jewelry.		1/2 interest in misc. jewelry		-	1,000.00	
8.	Firearms and sports, photographic, and other hobby equipment.	X					
9.	Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X					
10.	Annuities. Itemize and name each issuer.	X					
				(Total o	Sub-Tota f this page)	al > <b>6,400.00</b>	

**3** continuation sheets attached to the Schedule of Personal Property

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Form B6B (10/05)

In re	John J. Vivoda	Case No.
_		•

## Debtor

## SCHEDULE B. PERSONAL PROPERTY

(Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property without Deducting any Secured Claim or Exemption
11.	Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c); Rule 1007(b)).	х			
12.	Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13.	Stock and interests in incorporated	sole o	owner of Regent Street, LLC	-	0.00
	and unincorporated businesses. Itemize.	sole o	owner of Main-Penn GE, LLC	-	100,000.00
		sole o	owner of Vivoda Construction Services Corp.	-	0.00
14.	Interests in partnerships or joint ventures. Itemize.	X			
15.	Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16.	Accounts receivable.	X			
17.	Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18.	Other liquidated debts owing debtor including tax refunds. Give particulars.	X			
19.	Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20.	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			

Sub-Total > (Total of this page)

100,000.00

Sheet <u>1</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

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Form B6B (10/05)

In re	John J. Vivoda	Case No
_		

Debtor

## SCHEDULE B. PERSONAL PROPERTY

(Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
21.	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
22.	Patents, copyrights, and other intellectual property. Give particulars.	X			
23.	Licenses, franchises, and other general intangibles. Give particulars.	X			
24.	Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25.	Automobiles, trucks, trailers, and other vehicles and accessories.		lercury Sable ord Taurus	-	5,000.00 5,900.00
26.	Boats, motors, and accessories.	X			
27.	Aircraft and accessories.	x			
28.	Office equipment, furnishings, and supplies.	x			
29.	Machinery, fixtures, equipment, and supplies used in business.	X			
30.	Inventory.	X			
31.	Animals.	X			
32.	Crops - growing or harvested. Give particulars.	X			
33.	Farming equipment and implements.	X			
34.	Farm supplies, chemicals, and feed.	X			
				Sub-Tota	al > <b>10,900.00</b>

Sheet <u>2</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

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Form B6B (10/05)

In re	John J. Vivoda	Case No.
_		Debtor

## SCHEDULE B. PERSONAL PROPERTY

(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
------------------	------------------	--------------------------------------	---	---

35. Other personal property of any kind X not already listed. Itemize.

> Sub-Total > (Total of this page)

117,300.00

Total >

Sheet <u>3</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

(Report also on Summary of Schedules)

0.00

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Form B6C (4/07)

In re	John J. Vivoda	Case No
-		Debtor ,

## SCHEDULE C. PROPERTY CLAIMED AS EXEMPT

Debtor claims the exemptions to which debtor is entitled under:

(Check one box)

□ 11 U.S.C. §522(b)(2)

□ 11 U.S.C. §522(b)(3)

■ 11 U.S.C. §522(b)(3)			
Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
Real Property Residence: 226 Regent St., Glen Ellyn, IL	735 ILCS 5/12-901	15,000.00	550,000.00
Checking, Savings, or Other Financial Accounts, C	Certificates of Denosit		
Checking w/Community Bank Glenn Ellyn	735 ILCS 5/12-1001(b)	300.00	300.00
Household Goods and Furnishings 1/2 interest in misc. household goods and furnishings	735 ILCS 5/12-1001(b)	2,600.00	5,000.00
Wearing Apparel Misc. wearing apparel	735 ILCS 5/12-1001(a)	100.00	100.00
Furs and Jewelry 1/2 interest in misc. jewelry	735 ILCS 5/12-1001(b)	100.00	1,000.00
<u>Automobiles, Trucks, Trailers, and Other Vehicles</u> 2002 Mercury Sable	735 ILCS 5/12-1001(c) 735 ILCS 5/12-1001(b)	2,400.00 1,000.00	5,000.00

Total: 21,500.00 561,400.00

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Official Form 6D (10/06)

In re	John J. Vivoda	Case No.
•		Debtor ————————————————————————————————————

## SCHEDULE D. CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112. If "a minor child" is stated, also include the name, address, and legal relationship to the minor child of a person described in Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C C D E B T C R	) C	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N	UNLIQUIDAT	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. 826758802 & 2007 CH 0011  American Chartered Bank c/o Hauselman, Rap;in & Olswang 39 S. LaSalle St. (#1105) Chicago, IL 60603		۲ -	10/05 second mortgage Residence: 226 Regent St., Glen Ellyn, IL Value \$ 550,000.00	T	T E D		100,000.00	0.00
Account No.  American Chartered Bank 1199 E. Higgins Rd. Schaumburg, IL 60173		-	10/04 first mortgage 460-462 Pennsylvania, Glen Ellyn, IL (8 condos (6 unsold) and 24 townhouses (15 unsold)) Value \$ 16,000,000.00				13,600,000.00	0.00
Account No. 6515468756  Bank of America PO Box 21848 Greensboro, NC 27420	×	( -	2002 first mortgage Residence: 226 Regent St., Glen Ellyn, IL Value \$ 550,000.00				203,450.00	0.00
Account No.  Capital Source 208 S. LaSalle Suite 814 Chicago, IL 60604	x	( -	7/06 third mortgage Residence: 226 Regent St., Glen Ellyn, IL Value \$ 550,000.00				125,000.00	0.00
continuation sheets attached				Sub his		_	14,028,450.00	0.00

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Official Form 6D (10/06) - Cont.

In re	John J. Vivoda	Case No.	
_		Debtor	

## SCHEDULE D. CREDITORS HOLDING SECURED CLAIMS (Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	Hu H J C	sband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	S P U T E	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No.  Capital Source 4445 Willard Ave. 12th Floor Chevy Chase, MD 20815		_	mortgage 460-462 Pennsylvania, Glen Ellyn, IL (8 condos (6 unsold) and 24 townhouses (15 unsold))		ED			
			Value \$ 16,000,000.00				3,500,000.00	1,100,000.00
Account No.			2006 2nd install & 2007					
DuPage County Collector Attn: Marianne Ciolli P.O. Box 787 Wheaton, IL 60189		_	real estate taxes 490 Pennsylvania, Glen Ellyn  Value \$ 968,000,00				24 000 00	0.00
Account No. <b>30005363</b>	┢	H	Value \$ 968,000.00 8/05	+	$\vdash$	$\vdash$	24,000.00	0.00
Harris Bank 111 W. Monroe Chicago, IL 60603		_	mortgage 490 Pennsylvania, Glen Ellyn					
			Value \$ 968,000.00				630,000.00	0.00
USAA 9800 Fredericksburg Rd. San Antonio, TX 78218		_	purchase money 2003 Ford Taurus					
			Value \$ 5,900.00	+			4,000.00	0.00
Account No.			Value \$ 5,500.50				7,000.00	0.00
Sheet 1 of 1 continuation sheets attac	che	d to		Sub			4,158,000.00	1,100,000.00
Schedule of Creditors Holding Secured Claims			(Total of	this	pag	ge)	7,130,000.00	1,100,000.00
			(Report on Summary of S		ota Inle		18,186,450.00	1,100,000.00

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Official Form 6E (4/07)

In re	John J. Vivoda	Case No.	
_		Debtor	

### SCHEDULE E. CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112. If "a minor child" is stated, also include the name, address, and legal relationship to the minor child of a person described in Fed. R. Bankr. P. 1007(m).

schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules. Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 or 13 report this total also on the Statistical Summary of Certain Liabilities and Related Data. Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 report this total also on the Statistical Summary of Certain Liabilities and Related Data. Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E. TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets) ☐ Domestic support obligations Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1). ☐ Extensions of credit in an involuntary case Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trust or the order for relief. 11 U.S.C. § 507(a)(3). ☐ Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4). ☐ Contributions to employee benefit plans Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5). ☐ Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6). ☐ Deposits by individuals Claims of individuals up to \$2,425\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered provided. 11 U.S.C. § 507(a)(7). ☐ Taxes and certain other debts owed to governmental units Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8). ☐ Commitments to maintain the capital of an insured depository institution Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9). ☐ Claims for death or personal injury while debtor was intoxicated Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another

substance. 11 U.S.C. § 507(a)(10).

continuation sheets attached

<sup>\*</sup> Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

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Official Form 6F (10/06)

In re	John J. Vivoda	Case No.	
-		Debtor	

## SCHEDULE F. CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112. If "a minor child" is stated, also include the name, address, and legal relationship to the minor child of a person described in Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME,	CO	Hu	sband, Wife, Joint, or Community	CO	Ü	D		
AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	DEBTOR	J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	O N H L N G H N	UNLIQUIDAT	SPUTED		AMOUNT OF CLAIM
Account No.			Misc.	T	T E D			
American Chartered Bancorp, Inc. c/o Burke Burns & Pinelli, LTD 70 West Madison Ste. 4300 Chicago, IL 60602	х	-						0.00
Account No. 2007 L 005234			10/04			Г	t	
American Chartered Bank c/o Hauselman, Rappin & Olswang 39 S. LaSalle St. (#1105) Chicago, IL 60603		_	business loan personally guaranteed					110,000.00
Account No.			Misc.			Г	T	
Architectural Sealants, Inc. c/o Chitkowski Law Offices 801 Warrenville Rd. Ste. 620 Lisle, IL 60532	x	-						0.00
Account No.	1		Misc.				$\dagger$	
B & K Plumbing c/o Rathje & Woodward, LLC 300 E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187	x	_						0.00
						L	1	0.00
continuation sheets attached			(Total of t	Sub his				110,000.00

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Official Form 6F (10/06) - Cont.

In re	John J. Vivoda		Case No.	
•		Debtor	,	

					_	_	
CREDITOR'S NAME,	C	Hu	sband, Wife, Joint, or Community	C	U	P	
AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGEN	UNLIQUIDA	SPUTED	AMOUNT OF CLAIM
Account No.			Misc.	Т	A T E D		
Building Stone Prod. & Meno Stone c/o Crowley & Lamb, PC 350 N. Lasalle St. Ste. 900 Chicago, IL 60610	х	_			D		0.00
Account No.			08/2005				
Carl Kuhn 29W450 Schick Rd. Bartlett, IL 60103		_	loan				
							175,000.00
Account No. <b>5588-6200-0056-1542</b>			Credit card purchases				
Citi Business Card Box 6309 The Lakes, NV 88901		_	·				2,000.00
Account No.			Misc.				
Cutting Edge Millwork c/o Rathje & Woodward, LLC 300 E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187	х	_					0.00
Account No.			Misc.			Г	
Cybor Fire Protection Co. c/o Samuel Adam Smith 535 S. Washington St. Ste. 206	х	_					0.00
Sheet no1 of _5 sheets attached to Schedule of		•		Subt	ota	.1	,
Creditors Holding Unsecured Nonpriority Claims			(Total of t	his	pag	ge)	177,000.00

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In re	John J. Vivoda	Case No	_
_		Debtor	

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Hu H W J C		CONTINGEN	Q U		AMOUNT OF CLAIM
Account No.			Misc.	Ť	TE	D	
D J Sweeney Elec. Contracting c/o Manetti & Griffith, LTD 2311 West 22nd St. Ste. 217 Oak Brook, IL 60523	x	-			D		0.00
Account No.	T		Misc.			H	
D. H. Johnson c/o Huck Bouma, PC 1755 S. Naperville Rd., Ste. 200 Wheaton, IL 60187	x	-					0.00
Account No.			Misc.				
Elliot Construction Corp. c/o Rathje & Woodward, LLC 300 E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187	х	-					0.00
Account No.			Misc.				
Graystar Construction Co. Pittacora & Crotty, LLC 9550 W. Bormet St. Mokena, IL 60448	х	-					0.00
Account No.		$\vdash$	loan	$\vdash$		$\vdash$	
John & Eileen Vivoda 2129 Fremont Chicago, IL 60614		-					8,000.00
Sheet no. 2 of 5 sheets attached to Schedule of				Subt			8,000.00
Creditors Holding Unsecured Nonpriority Claims			(Total of t	his j	pag	ge)	

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Official Form 6F (10/06) - Cont.

In re	John J. Vivoda	Case No	
_		Debtor	

CREDITOR'S NAME,	000		sband, Wife, Joint, or Community	C O N T	UN	D I	
AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	J H H	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	NHINGEN	QD.		AMOUNT OF CLAIM
Account No.			Misc.	Ť	DATED		
K & J Heating & Cooling 619 South Addison Rd. Addison, IL 60101	х	-			D		0.00
Account No.			Misc.		Г	H	+
Konematic, Inc. d/b/a Door Systems c/o Edgerton & Edgerton 125 Wood Street PO Box 218 West Chicago, IL 60186-0218	х	-					0.00
Account No.			Ioan				
Larry Belcaster 1 Oak Brook Club Drive Oak Brook, IL 60523		-					55,000.00
Account No.			Misc.				
Lucien LaGrange Architects, Ltd. c/o Foran Glennon Palandech & Ponzi 150 S. Wacker Drive Ste. 1100 Chicago, IL 60606	x	-					0.00
Account No.		$\vdash$	Misc.		H	H	+
Monarch Construction Co. c/o Kelly DeHaan & Richter LLC 30 S. Wacker Drive Ste. 2300 Chicago, IL 60606	х	_					0.00
Sheet no. <b>3</b> of <b>5</b> sheets attached to Schedule of		_		Subt	ota	ıl	EE 000 00
Creditors Holding Unsecured Nonpriority Claims			(Total of t	his	pag	ge)	55,000.00

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In re	John J. Vivoda		Case No.	
•		Debtor		

CREDITOR'S NAME,	C	Hu	sband, Wife, Joint, or Community	C	U	P	
AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	C A A H	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGEN	UNLIQUIDATED	S P U T E D	AMOUNT OF CLAIM
Account No.			Misc.	Т	T E		
Oosterbaan & Sons c/o Rathje & Woodward, LLC 300E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187	х	-			D		0.00
Account No.			Misc.	T			
Pine Roofing Co. c/o David A. Kaufman & Assoc. 555 Skokie Blvd., Ste. 500 Northbrook, IL 60062	x	-					0.00
Account No.	_		11/10/2006	-			
Robert & Helen Maganini 200 North River Lane Geneva, IL		-	Ioan				20,000.00
Account No.			Misc.				
Robert Ebl, Inc. c/o Rathje & Woodward, LLC 300 E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187	x	-					0.00
Account No.			Misc.	H			
Rock It Drywall Service c/o Rathje & Woodward, LLC 300 E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187	х	_					0.00
Sheet no. 4 of 5 sheets attached to Schedule of			5	Subt	ota	1	00.000.00
Creditors Holding Unsecured Nonpriority Claims			(Total of t	his	pag	e)	20,000.00

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Official Form 6F (10/06) - Cont.

In re	John J. Vivoda	Case No	_
-		Debtor	

CREDITOR'S NAME,	CO	Hu	sband, Wife, Joint, or Community	CO	U	P	
AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	C A M	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDA	SPUTED	
Account No.			Misc.	Т	T E		
Service Drywall, Inc. c/o Rathje & Woodward, LLC 300 E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187	x	-			D		0.00
Account No.			Misc.				
Wells Fargo Mortgage Co. c/o Much Shelist Denenberg & Assoc. 191 N. Wacker Dr. Ste. 1800 Chicago, IL 60606-1615	х	-					
Account No.							0.00
Account No.							
Account No.							
Sheet no5 of _5 sheets attached to Schedule of				Subt			0.00
Creditors Holding Unsecured Nonpriority Claims			(Total of t				
Total (Report on Summary of Schedules) 370,000						370,000.00	

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Form B6G (10/05)

In re	John J. Vivoda	Case No	
		Debtor	

## SCHEDULE G. EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112; Fed.R. Bankr. P. 1007(m).

Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract. Case 07-12920 Doc 1 Filed 07/19/07 Entered 07/19/07 14:24:04 Desc Main Document Page 24 of 48

Form B6H (10/05)

In re	John J. Vivoda	Case No
-		,
		Debtor

## SCHEDULE H. CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112; Fed. Bankr. P. 1007(m).

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Gina Vivoda 226 Regent St. Glen Ellyn, IL 60137 wife	Bank of America PO Box 21848 Greensboro, NC 27420
Gina Vivoda 226 Regent St. Glen Ellyn, IL 60137	American Chartered Bank c/o Hauselman, Rap;in & Olswang 39 S. LaSalle St. (#1105) Chicago, IL 60603
Gina Vivoda 226 Regent St. Glen Ellyn, IL 60137	Capital Source 208 S. LaSalle Suite 814 Chicago, IL 60604
Regent Street, LLC	Graystar Construction Co. Pittacora & Crotty, LLC 9550 W. Bormet St. Mokena, IL 60448
Regent Street, LLC	Monarch Construction Co. c/o Kelly DeHaan & Richter LLC 30 S. Wacker Drive Ste. 2300 Chicago, IL 60606
Regent Street, LLC	American Chartered Bancorp, Inc. c/o Burke Burns & Pinelli, LTD 70 West Madison Ste. 4300 Chicago, IL 60602
Regent Street, LLC	K & J Heating & Cooling 619 South Addison Rd. Addison, IL 60101
Regent Street, LLC	Building Stone Prod. & Meno Stone c/o Crowley & Lamb, PC 350 N. Lasalle St. Ste. 900 Chicago, IL 60610
Regent Street, LLC	D J Sweeney Elec. Contracting c/o Manetti & Griffith, LTD 2311 West 22nd St. Ste. 217 Oak Brook, IL 60523
Regent Street, LLC	Pine Roofing Co. c/o David A. Kaufman & Assoc. 555 Skokie Blvd., Ste. 500 Northbrook. IL 60062

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In re	John J. Vivoda	Case No.
-		Debtor ,

# SCHEDULE H. CODEBTORS (Continuation Sheet)

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Regent Street, LLC	B & K Plumbing c/o Rathje & Woodward, LLC 300 E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187
Regent Street, LLC	Cutting Edge Millwork c/o Rathje & Woodward, LLC 300 E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187
Regent Street, LLC	Rock It Drywall Service c/o Rathje & Woodward, LLC 300 E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187
Regent Street, LLC	Robert Ebl, Inc. c/o Rathje & Woodward, LLC 300 E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187
Regent Street, LLC	Service Drywall, Inc. c/o Rathje & Woodward, LLC 300 E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187
Regent Street, LLC	Elliot Construction Corp. c/o Rathje & Woodward, LLC 300 E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187
Regent Street, LLC	Oosterbaan & Sons c/o Rathje & Woodward, LLC 300E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187
Regent Street, LLC	D. H. Johnson c/o Huck Bouma, PC 1755 S. Naperville Rd., Ste. 200 Wheaton, IL 60187
Regent Street, LLC	Konematic, Inc. d/b/a Door Systems c/o Edgerton & Edgerton 125 Wood Street PO Box 218 West Chicago, IL 60186-0218
Regent Street, LLC	Lucien LaGrange Architects, Ltd. c/o Foran Glennon Palandech & Ponzi 150 S. Wacker Drive Ste. 1100 Chicago, IL 60606
Regent Street, LLC	Cybor Fire Protection Co. c/o Samuel Adam Smith 535 S. Washington St. Ste. 206

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In re	John J. Vivoda	Case No.
		Debtor ,

# SCHEDULE H. CODEBTORS (Continuation Sheet)

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Regent Street, LLC	Architectural Sealants, Inc. c/o Chitkowski Law Offices 801 Warrenville Rd. Ste. 620 Lisle, IL 60532
Regent Street, LLC	Wells Fargo Mortgage Co. c/o Much Shelist Denenberg & Assoc. 191 N. Wacker Dr. Ste. 1800 Chicago, IL 60606-1615

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Official	Form	61	(10	/06

In re	John J. Vivoda		Case No.	
		Debtor(s)		

## SCHEDULE I. CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child

Debtor's Marital Status:	DEPENDENTS O	F DEBTOR AND S	POUSE		
Married	RELATIONSHIP(S): son son daughter	AGE(S): 17 19 9			
<b>Employment:</b>	DEBTOR	•	SPOUSE		
Occupation		Pacemaker N			
Name of Employer	unemployed	Midwest Hea	rt Specialists		
How long employed		15 years			
Address of Employer					
INCOME: (Estimate of aver	rage or projected monthly income at time case filed)		DEBTOR		SPOUSE
1. Monthly gross wages, sala	ry, and commissions (Prorate if not paid monthly)	\$_	0.00	\$_	4,766.67
2. Estimate monthly overtime	e	\$_	0.00	\$_	0.00
3. SUBTOTAL		\$_	0.00	\$_	4,766.67
4. LESS PAYROLL DEDUC	CTIONS				
a. Payroll taxes and soc		\$	0.00	\$	715.00
b. Insurance	iai security	\$ <u>-</u>	0.00	\$ -	0.00
c. Union dues		\$ <b>-</b>	0.00	\$ -	0.00
d. Other (Specify):		\$ <del>-</del>	0.00	\$ -	0.00
		\$	0.00	\$	0.00
5. SUBTOTAL OF PAYRO	LL DEDUCTIONS	\$_	0.00	\$_	715.00
6. TOTAL NET MONTHLY	TAKE HOME PAY	\$_	0.00	\$_	4,051.67
7. Regular income from oper	ration of business or profession or farm (Attach detailed	statement) \$	0.00	\$	0.00
8. Income from real property	,	\$	0.00	\$	0.00
9. Interest and dividends	\$ _	0.00	\$_	0.00	
	support payments payable to the debtor for the debt			<b>.</b>	
that of dependents listed		\$ _	0.00	\$_	0.00
11. Social security or govern	ment assistance	•	0.00	\$	0.00
(Specify):		\$	0.00	φ_	0.00
12. Pension or retirement inc	oma.	\$ \$	0.00	φ –	0.00
	ome	<b>»</b> —	0.00	<b>э</b> -	0.00
13. Other monthly income		\$	0.00	\$	0.00
(Specify):		\$_	0.00	\$ _	0.00
		<u> </u>		Ψ_	0.00
14. SUBTOTAL OF LINES	7 THROUGH 13	\$_	0.00	\$_	0.00
15. AVERAGE MONTHLY	INCOME (Add amounts shown on lines 6 and 14)	\$_	0.00	\$_	4,051.67
	E MONTHLY INCOME: (Combine column totals e debtor repeat total reported on line 15)		\$	4,05	1.67

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

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Official	Form	61	(10/06)

In re	John J. Vivoda		
		Debtor(s)	

## SCHEDULE J. CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

mplete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at tir

filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.	e debtor's 12	inny at time case
☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Comple expenditures labeled "Spouse."	ete a separat	e schedule of
1. Rent or home mortgage payment (include lot rented for mobile home)	\$	2,700.00
a. Are real estate taxes included? Yes X No No	-	
b. Is property insurance included? Yes No _X		
2. Utilities: a. Electricity and heating fuel	\$	200.00
b. Water and sewer	\$	100.00
c. Telephone	\$	200.00
d. Other	\$	0.00
3. Home maintenance (repairs and upkeep)	\$	200.00
4. Food	\$	1,000.00
5. Clothing	\$	100.00
6. Laundry and dry cleaning	\$	60.00
7. Medical and dental expenses	\$	100.00
8. Transportation (not including car payments)	\$	300.00
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	0.00
10. Charitable contributions	\$	50.00
11. Insurance (not deducted from wages or included in home mortgage payments)		
a. Homeowner's or renter's	\$	150.00
b. Life	\$	100.00
c. Health	\$	0.00
d. Auto	\$	300.00
e. Other	\$	0.00
12. Taxes (not deducted from wages or included in home mortgage payments)		
(Specify)	\$	0.00
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)		
a. Auto	\$	250.00
b. Other	\$	0.00
c. Other	\$	0.00
d. Other	\$	0.00
14. Alimony, maintenance, and support paid to others	\$	0.00
15. Payments for support of additional dependents not living at your home	\$	0.00
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	0.00
17. Other	\$	0.00
Other	\$	0.00
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	\$	5,810.00
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:	-	
20. STATEMENT OF MONTHLY NET INCOME	¢.	4 0E4 C7
a. Average monthly income from Line 15 of Schedule I	\$	4,051.67
b. Average monthly expenses from Line 18 above	\$	5,810.00
c. Monthly net income (a. minus b.)	<b>&gt;</b>	-1,758.33

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Official Form 6-Declaration. (10/06)

# **United States Bankruptcy Court Northern District of Illinois**

In re	John J. Vivoda			Case No.	
			Debtor(s)	Chapter	7
	DECLARATION CO			_	
I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of sheets [total shown on summary page plus 2], and that they are true and correct to the best of my knowledge, information, and belief.					
Date	July 19, 2007	Signature	/s/ John J. Vivoda John J. Vivoda Debtor		

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

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Official Form 7 (04/07)

## United States Bankruptcy Court Northern District of Illinois

In re	John J. Vivoda	Case No.		
		Debtor(s)	Chapter	7

### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. Do not include the name or address of a minor child in this statement. Indicate payments, transfers and the like to minor children by stating "a minor child." See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 1. Income from employment or operation of business

None

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

\$0.00 YTD (no income)

\$0.00 2006 employment (no income) \$0.00 2005 employment (no income)

### 2. Income other than from employment or operation of business

None

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

## 3. Payments to creditors

None

Complete a. or b., as appropriate, and c.

a. *Individual or joint debtor(s) with primarily consumer debts.* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS DATES OF AMOUNT STILL OF CREDITOR PAYMENTS AMOUNT PAID OWING

None

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$5,475. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT
DATES OF
PAYMENTS/
NAME AND ADDRESS OF CREDITOR
TRANSFERS
TRANSFERS
TRANSFERS
OWING
Citibank
AMOUNT
PAYMENTS/
VALUE OF
AMOUNT STILL
TRANSFERS
TRANSFERS
OWING
\$2,000.00
\$3,800.00

None c. *All debtors*: List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND

AMOUNT STILL

RELATIONSHIP TO DEBTOR

DATE OF PAYMENT

AMOUNT PAID

OWING

### 4. Suits and administrative proceedings, executions, garnishments and attachments

None

a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT

AND CASE NUMBER

NATURE OF PROCEEDING

American Chartered Bank v. foreclosure

COURT OR AGENCY

AND LOCATION

DISPOSITION

DuPage County, IL

pending

2007 CH 001298

American Chartered Bank v. collection

Cook County, IL pending

Vidoda

2007 L 005234

Harris N.A. v. Main-Penn GE, foreclosure DuPage County, IL pending

LLC

2007 CH 000066

None b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately

preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE

BENEFIT PROPERTY WAS SEIZED

DATE OF SEIZURE

DESCRIPTION AND VALUE OF SEIZURE

PROPERTY

### 5. Repossessions, foreclosures and returns

None

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER

DATE OF REPOSSESSION,
FORECLOSURE SALE,
TRANSFER OR RETURN
DESCRIPTION AND VALUE OF
PROPERTY

#### 6. Assignments and receiverships

None

e a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DATE OF

ASSIGNMENT

NAME AND ADDRESS OF ASSIGNEE

TERMS OF ASSIGNMENT OR SETTLEMENT

None

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not

filed.)

NAME AND LOCATION

NAME AND ADDRESS OF COURT OF CUSTODIAN CASE TITLE & NUMBER

DATE OF ORDER DESCRIPTION AND VALUE OF

PROPERTY

7. Gifts

None

List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION

RELATIONSHIP TO DEBTOR, IF ANY

DATE OF GIFT

DESCRIPTION AND VALUE OF GIFT

8. Losses

None

List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case.** (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY

DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS

DATE OF LOSS

9. Payments related to debt counseling or bankruptcy

None

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE

Springer Brown Covey Gaertner & Davis, L 232 S. Batavia Ave. Batavia, IL 60510 DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR 6/07 AMOUNT OF MONEY
OR DESCRIPTION AND VALUE
OF PROPERTY
\$2,500

\$2,5

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#### 10. Other transfers

None

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR

DATE

DESCRIBE PROPERTY TRANSFERRED
AND VALUE RECEIVED

None b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER

DEVICE

DATE(S) OF TRANSFER(S)

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST IN PROPERTY

#### 11. Closed financial accounts

None

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION

TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE

AMOUNT AND DATE OF SALE OR CLOSING

#### 12. Safe deposit boxes

None

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY

DESCRIPTION OF CONTENTS

DATE OF TRANSFER OR SURRENDER, IF ANY

#### 13. Setoffs

None

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATE OF SETOFF

AMOUNT OF SETOFF

### 14. Property held for another person

None List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER

DESCRIPTION AND VALUE OF PROPERTY

LOCATION OF PROPERTY

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#### 15. Prior address of debtor

None

If the debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS NAME USED DATES OF OCCUPANCY

#### 16. Spouses and Former Spouses

None

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

#### 17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

None

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

NAME AND ADDRESS OF DATE OF ENVIRONMENTAL SITE NAME AND ADDRESS GOVERNMENTAL UNIT NOTICE LAW

None b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous

Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

NAME AND ADDRESS OF DATE OF ENVIRONMENTAL SITE NAME AND ADDRESS GOVERNMENTAL UNIT NOTICE LAW

None c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which

the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR DISPOSITION

5

#### 18. Nature, location and name of business

None

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

> LAST FOUR DIGITS OF SOC. SEC. NO./ COMPLETE EIN OR OTHER TAXPAYER

NAME I.D. NO. **ADDRESS** NATURE OF BUSINESS ENDING DATES Regent Street, LLC 226 Regent St. real estate development 3/02-present

Glen Ellyn, IL 60137

real estate development Main-Penn GE, LLC 226 Regent St. 8/05-present

Glen Ellyn, IL 60137

**Vivoda Construction** 226 Regent St. real estate development 5/05-present

Glen Ellyn, IL 60137 Services Corp.

None

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME **ADDRESS** 

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

### 19. Books, records and financial statements

None

a. List all bookkeepers and accountants who within two years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS

DATES SERVICES RENDERED

None b. List all firms or individuals who within the two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME **ADDRESS** DATES SERVICES RENDERED

None c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME **ADDRESS**  6

**BEGINNING AND** 

None d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within **two years** immediately preceding the commencement of this case.

NAME AND ADDRESS DATE ISSUED

20. Inventories

None a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory,

and the dollar amount and basis of each inventory.

DOLLAR AMOUNT OF INVENTORY

DATE OF INVENTORY

INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY

(Specify cost, market or other basis)

None b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY

DATE OF INVENTORY RECORDS

21 . Current Partners, Officers, Directors and Shareholders

None a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS NATURE OF INTEREST PERCENTAGE OF INTEREST

None b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns,

controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NATURE AND PERCENTAGE
NAME AND ADDRESS
TITLE
NATURE AND PERCENTAGE
OF STOCK OWNERSHIP

22 . Former partners, officers, directors and shareholders

None a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME ADDRESS DATE OF WITHDRAWAL

None b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS TITLE DATE OF TERMINATION

23. Withdrawals from a partnership or distributions by a corporation

None If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS

OF RECIPIENT.

DATE AND PURPOSE

AMOUNT OF MONEY
OR DESCRIPTION AND

RELATIONSHIP TO DEBTOR OF WITHDRAWAL VALUE OF PROPERTY

24. Tax Consolidation Group.

None If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION TAXPAYER IDENTIFICATION NUMBER (EIN)

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25. Pension Funds.

None

If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

8

### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date July 19, 2007 Signature /s/ John J. Vivoda
John J. Vivoda
Debtor

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571

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Form 8 (10/05)

# **United States Bankruptcy Court**Northern District of Illinois

	Northern Distric	ct of Illinois			
In re John J. Vivoda			Case No.		
	Debt	or(s)	Chapter	_7	
CHAPTER 7 IND	IVIDUAL DEBTOR'	S STATEME	NT OF INT	TENTION	
I have filed a schedule of assets and liabil	lities which includes debts sec	ured by property o	of the estate.		
☐ I have filed a schedule of executory contr	acts and unexpired leases whi	ch includes person	al property subj	ect to an unexpire	ed lease.
I intend to do the following with respect	to property of the estate which	secures those deb	ts or is subject to	o a lease:	
Description of Secured Property	Creditor's Name	Property will be Surrendered	Property is claimed as exempt	Property will be redeemed pursuant to 11 U.S.C. § 722	Debt will be reaffirmed pursuant to 11 U.S.C. § 524(c)
460-462 Pennsylvania, Glen Ellyn, IL (8 condos (6 unsold) and 24 townhouses (15 unsold))	American Chartered Bank	Х			
460-462 Pennsylvania, Glen Ellyn, IL (8 condos (6 unsold) and 24 townhouses (15 unsold))	Capital Source	Х			
490 Pennsylvania, Glen Ellyn	DuPage County Collector	Х			
490 Pennsylvania, Glen Ellyn	Harris Bank	х			
Residence: 226 Regent St., Glen Ellyn, IL	American Chartered Bank				Х
Residence: 226 Regent St., Glen Ellyn, IL	Bank of America				Х
Residence: 226 Regent St., Glen Ellyn, IL	Capital Source				Х
2003 Ford Taurus	USAA				Х
Description of Leased Property -NONE-	Lessor's Name	Lease will be assumed pursuar to 11 U.S.C. § 362(h)(1)(A)	nt .	•	•

Signature /s/ John J. Vivoda

Debtor

John J. Vivoda

Date **July 19, 2007** 

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United States Bankruptcy Court
Northern District of Illinois

In re	John J. Vivoda		Case No.	
		Debtor(s)	Chapter	7

	DISCLOSURE OF COMPE	ENSATION OF ATTORNE	Y FOR	DEBTOR(S)	
1.	Pursuant to 11 U.S.C. § 329(a) and Bankruptcy R compensation paid to me within one year before the fibe rendered on behalf of the debtor(s) in contemplation	ling of the petition in bankruptcy, or a	greed to b	e paid to me, for services rendered or	
	For legal services, I have agreed to accept		\$	2,500.00	
	Prior to the filing of this statement I have received		\$	2,500.00	
	Balance Due		\$	0.00	
2.	\$ of the filing fee has been paid.				
3.	The source of the compensation paid to me was:				
	■ Debtor □ Other (specify):				
4.	The source of compensation to be paid to me is:				
	■ Debtor □ Other (specify):				
	= Bestor = Guer (speerly).				
5.	■ I have not agreed to share the above-disclosed com	pensation with any other person unles	s they are	members and associates of my law firm	m.
	☐ I have agreed to share the above-disclosed compen copy of the agreement, together with a list of the na				
5.	In return for the above-disclosed fee, I have agreed to ra. Analysis of the debtor's financial situation, and render b. Preparation and filing of any petition, schedules, state. Representation of the debtor at the meeting of crediction of the debtor at the meeting of crediction. [Other provisions as needed]	lering advice to the debtor in determin tement of affairs and plan which may	ing whether be require	er to file a petition in bankruptcy; d;	
7.	By agreement with the debtor(s), the above-disclosed for	ee does not include the following servi	ice:		
		CERTIFICATION			
thi	I certify that the foregoing is a complete statement of as s bankruptcy proceeding.	ny agreement or arrangement for paym	ent to me	for representation of the debtor(s) in	
Da	ted: July 19, 2007	/s/ Bradley S. Covey			
		Bradley S. Covey 6208 Springer, Brown, Cov 400 S. County Farm R Suite 330 Wheaton, IL 60187 630-510-0000 Fax: 63	ey, Gaert oad	·	

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

## NOTICE TO INDIVIDUAL CONSUMER DEBTOR UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

### Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

### <u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

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#### B 201 (04/09/06)

Bradley S. Covey 6208786

#### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

### **Chapter 12:** Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

#### **Certificate of Attorney**

X /s/ Bradley S. Covey

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

Printed Name of Attorney	Signature of Attorney	Date
Address:		
400 S. County Farm Road		
Suite 330		
Wheaton, IL 60187		
630-510-0000		
I (We), the debtor(s), affirm that I (we) h	Certificate of Debtor ave received and read this notice.	
John J. Vivoda	X /s/ John J. Vivoda	July 19, 2007
Printed Name(s) of Debtor(s)	Signature of Debtor	Date
Case No. (if known)	X	
	Signature of Joint Debtor (if any)	Date

July 19, 2007

### United States Bankruptcy Court Northern District of Illinois

		Northern District of Illinois		
In re	John J. Vivoda		Case No.	
		Debtor(s)	Chapter	7
	•	VERIFICATION OF CREDITOR M  Number of	MATRIX  f Creditors:	57_
	The above-named Debtor (our) knowledge.	r(s) hereby verifies that the list of credi	tors is true and	correct to the best of my
Date:	July 19, 2007	/s/ John J. Vivoda  John J. Vivoda  Signature of Debtor		

American Chartered Bancorp, Inc. c/o Burke Burns & Pinelli, LTD 70 West Madison Ste. 4300 Chicago, IL 60602

American Chartered Bank c/o Hauselman, Rap; in & Olswang 39 S. LaSalle St. (#1105) Chicago, IL 60603

American Chartered Bank 1199 E. Higgins Rd. Schaumburg, IL 60173

American Chartered Bank c/o Hauselman, Rappin & Olswang 39 S. LaSalle St. (#1105) Chicago, IL 60603

Architectural Sealants, Inc. c/o Chitkowski Law Offices 801 Warrenville Rd. Ste. 620 Lisle, IL 60532

B & K Plumbing c/o Rathje & Woodward, LLC 300 E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187

Bank of America PO Box 21848 Greensboro, NC 27420

Building Stone Prod. & Meno Stone c/o Crowley & Lamb, PC 350 N. Lasalle St. Ste. 900 Chicago, IL 60610

Capital Source 208 S. LaSalle Suite 814 Chicago, IL 60604 Capital Source 4445 Willard Ave. 12th Floor Chevy Chase, MD 20815

Carl Kuhn 29W450 Schick Rd. Bartlett, IL 60103

Citi Business Card Box 6309 The Lakes, NV 88901

Cutting Edge Millwork c/o Rathje & Woodward, LLC 300 E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187

Cybor Fire Protection Co. c/o Samuel Adam Smith 535 S. Washington St. Ste. 206

D J Sweeney Elec. Contracting c/o Manetti & Griffith, LTD 2311 West 22nd St. Ste. 217 Oak Brook, IL 60523

D. H. Johnson c/o Huck Bouma, PC 1755 S. Naperville Rd., Ste. 200 Wheaton, IL 60187

DuPage County Collector Attn: Marianne Ciolli P.O. Box 787 Wheaton, IL 60189

Elliot Construction Corp. c/o Rathje & Woodward, LLC 300 E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187

Gina Vivoda 226 Regent St. Glen Ellyn, IL 60137 Gina Vivoda 226 Regent St. Glen Ellyn, IL 60137

Gina Vivoda 226 Regent St. Glen Ellyn, IL 60137

Graystar Construction Co. Pittacora & Crotty, LLC 9550 W. Bormet St. Mokena, IL 60448

Harris Bank 111 W. Monroe Chicago, IL 60603

John & Eileen Vivoda 2129 Fremont Chicago, IL 60614

K & J Heating & Cooling 619 South Addison Rd. Addison, IL 60101

Konematic, Inc. d/b/a Door Systems c/o Edgerton & Edgerton 125 Wood Street PO Box 218 West Chicago, IL 60186-0218

Larry Belcaster 1 Oak Brook Club Drive Oak Brook, IL 60523

Lucien LaGrange Architects, Ltd. c/o Foran Glennon Palandech & Ponzi 150 S. Wacker Drive Ste. 1100 Chicago, IL 60606

Monarch Construction Co. c/o Kelly DeHaan & Richter LLC 30 S. Wacker Drive Ste. 2300 Chicago, IL 60606

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Oosterbaan & Sons c/o Rathje & Woodward, LLC 300E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187

Pine Roofing Co. c/o David A. Kaufman & Assoc. 555 Skokie Blvd., Ste. 500 Northbrook, IL 60062

Regent Street, LLC

Robert & Helen Maganini 200 North River Lane Geneva, IL

Robert Ebl, Inc. c/o Rathje & Woodward, LLC 300 E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187

Rock It Drywall Service c/o Rathje & Woodward, LLC 300 E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187 Service Drywall, Inc. c/o Rathje & Woodward, LLC 300 E. Roosevelt Rd. Ste. 300 Wheaton, IL 60187

USAA 9800 Fredericksburg Rd. San Antonio, TX 78218

Wells Fargo Mortgage Co. c/o Much Shelist Denenberg & Assoc. 191 N. Wacker Dr. Ste. 1800 Chicago, IL 60606-1615